

# BIRCH, STEWART, KOLASCH & BIRCH, LLP

TERRELL C. BIRCH  
RAYMOND C. STEWART  
JOSEPH A. KOLASCH  
JAMES M. SLATTERY  
BERNARD L. SWEENEY\*  
MICHAEL K. MUTTER  
CHARLES GORENSTEIN  
GERALD M. MURPHY, JR.  
LEONARD R. SVENSSON  
TERRY L. CLARK  
ANDREW D. MEIKLE  
MARC S. WEINER  
JOE MCKINNEY MUNCY  
ROBERT J. KENNEY  
DONALD J. DALEY  
JOHN W. BAILEY  
JOHN A. CASTELLANO  
GARY D. YACURA

OF COUNSEL:  
HERBERT M. BIRCH (1905-1996)  
ELLIOT A. GOLDBERG\*  
WILLIAM L. GATES\*  
EDWARD H. VALANCE  
RUPERT J. BRADY (RET.)\*  
F. PRINCE BUTLER  
FRED S. WHISENHUNT

ADMITTED TO A BAR OTHER THAN VA.

INTELLECTUAL PROPERTY LAW  
8110 GATEHOUSE ROAD  
SUITE 500 EAST  
FALLS CHURCH, VA 22042-1210  
USA

(703) 205-8000

FAX: (703) 205-8050  
(703) 698-8590 (G IV)

e-mail: mailroom@bskb.com  
web: http://www.bskb.com

CALIFORNIA OFFICE  
COSTA MESA, CALIFORNIA

THOMAS S. AUCHTERLONIE  
JAMES T. ELLER, JR.  
SCOTT L. LOWE  
MARK J. NUELL, PH.D.  
D. RICHARD ANDERSON  
PAUL C. LEWIS  
MARK W. MILSTEAD\*  
RICHARD J. GALLAGHER  
JAYNE M. SAYDAH\*  
MARYANNE ARMSTRONG, PH.D.  
HYUNG N. SOHN  
ALAN PEDERSEN-GILES  
KECIA J. REYNOLDS

REG. PATENT AGENTS:  
FREDERICK R. HANDREN  
MAKI HATSUMI  
MIKE S. RYU  
CRAIG A. McROBBIE  
GARTH M. DAHLEN, PH.D.  
ROBERT E. GOOZNER, PH.D.  
MATTHEW J. LATTIG  
TIMOTHY R. WYCKOFF  
KRISTI L. RUPERT, PH.D.  
LARRY J. HUME  
ALBERT K. LEE  
HRAYR A. SAYADIAN, PH.D.  
EVE L. FRANK, PH.D.  
MATTHEW T. SHANLEY

Date: September 4, 2001

Docket No.: 0649-0798P

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This is a Request for filing a  continuation  divisional  
 continuation-in-part application under 37 C.F.R. § 1.53(b) of  
pending prior Application No. 09/256,368 filed on February 24,  
1999, the entire contents of which are hereby incorporated by  
reference,  
by

Tsuneo SATO, Mariko TAKAHASHI, Narihiro MATOBA, Hiroaki SUGIURA,  
Shuichi KAGAWA, Masayuki SAITO

for

COLOR CHARACTER DESCRIPTION APPARATUS, COLOR MANAGEMENT  
APPARATUS, IMAGE CONVERSION APPARATUS AND COLOR CORRECTION METHOD

1.  Enclosed is an application consisting of specification,  
claims, declaration and drawings/photographs (if  
applicable).
2.  The filing fee has been calculated as follows:

102060-06544560

		LARGE ENTITY		SMALL ENTITY	
BASIC FEE		\$710.00		\$355.00	
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE	
<b>TOTAL CLAIMS</b>	3-20 =	0	x 18 = \$0.00	x 9 = \$0.00	
<b>INDEPENDENT CLAIMS</b>	2-3 =	0	x 80 = \$0.00	x 40 = \$0.00	
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$270.00	+ \$135.00	
		<b>TOTAL</b>	<b>\$710.00</b>	<b>\$0.00</b>	

3.  A check in the amount of \$710.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4.  Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. Amend the specification by inserting before the first line thereof the following:
  - a.  --This application is a  continuation  divisional  continuation-in-part of co-pending Application No. 09/256,368, filed on February 24, 1999, the entire contents of which are hereby incorporated by reference and for which priority is claimed under 35 U.S.C. § 120; and this application claims priority of Application No. Hei. 10-286268 filed in Japan on October 8, 1998 under 35 U.S.C. § 119.--
  - b.  --This application is a  continuation  divisional  continuation-in-part of co-pending Application No. 09/256,368, filed on February 24, 1999 and for which priority is claimed under 35 U.S.C. § 120. Application No. 09/256,368 is the national phase of PCT International Application No. PCT/\_\_\_\_/ filed on \_\_\_\_ under 35 U.S.C. § 371. The entire contents of each of the above-identified applications are hereby incorporated by reference. This application also claims priority of Application No. filed in \_\_\_\_ on \_\_\_\_ under 35 U.S.C. § 119.--

6.  Enclosed is/are nineteen (19) sheet(s) of formal drawings and/or photographs.

7a.  A statement claiming small entity status was filed in prior Application No. 09/256,368 on \_\_\_\_\_. See the attached copy of the statement claiming small entity status.

7b.  The current application qualifies for small entity status.

8.  The prior application is assigned to Mitsubishi Denki Kabushiki Kaisha.

9.  A Preliminary Amendment is enclosed.

10a.  Priority of Application No(s). Hei. 286268 filed in Japan on October 8, 1998 is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on February 24, 1999.

10b.  Priority of International Appln. \_\_\_\_\_ filed on \_\_\_\_\_ under the Patent Cooperation Treaty and Application No. \_\_\_\_\_ filed in \_\_\_\_\_ on \_\_\_\_\_ under 35 U.S.C. § 119 are hereby reclaimed.

11.  An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.

12.  Address all future communications to:  
  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
P.O. Box 747  
Falls Church, VA 22040-0747  
Telephone: (703) 205-8000  
**or**  
Customer No. 2292

13.  An extension of time for one (1) month(s) until September 2, 2001 has been submitted in parent Application No. 09/256,368 in order to establish co-pendency with the present application.

14.  Also enclosed herewith is the following:  
  
\_\_\_\_\_  
  
\_\_\_\_\_

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

~~BIRCH, STEWART, KOLASCH & BIRCH, LLP~~

By

~~Michael K. Mutter, #29,680~~

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

MKM/gf  
0649-0798P

Attachments

(Rev. 01/23/01)

0649-0798P-000401

## IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Tsuneo SATO et al.

Serial No.: New

Group:

Filed: February 24, 1999

Examiner:

For: COLOR CHARACTERISTIC DESCRIPTION APPARATUS, COLOR MANAGEMENT APPARATUS, IMAGE CONVERSION APPARATUS AND COLOR CORRECTION METHOD

L E T T E RAssistant Commissioner for Patents  
Washington, DC 20231

February 24, 1999

Sir:

Under the provisions of 35 U.S.C. § 119 and 37 C.F.R. § 1.55(a), the applicant(s) hereby claim(s) the right of priority based on the following application(s):

<u>Country</u>	<u>Application No.</u>	<u>Filed</u>
Japan	10-286268	10/08/98

A certified copy of the above-noted application(s) is(are) attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH &amp; BIRCH, LLP

BY

MICHAEL K. MUTTER

Reg. No. 29,680

P.O. Box 747

Falls Church, VA 22040-0747

(703) 205-8000

Attachment  
MKM/tnp

J1050 U.S. PRO  
09/944598  
09/04/01

